

ARTICLE 29 Data Protection Working Party



Brussels, 12 November 2013

Mr Robert-Jan Smits
Director General
Directorate General Research & Innovation
European Commission
B - 1049 BRUSSELS
Belgium

Dear Mr Smits,

The Article 29 Working Party on Data Protection discussed the data protection elements of the FP7 programme and especially had a close look into the requirement for researchers to get approval from national data protection authorities when they apply for funds for their research.

Considering there are currently different requirements on prior approval and prior authorisation in each Member State, the Working Party contacted your office which resulted in a meeting between representatives from DG Research and the eGovernment subgroup of the Working Party on 11 July 2013.

From this meeting, it has become clear that the FP7 programme is drawing to an end and will be succeeded by the Horizon 2020 project.

This provides an excellent opportunity for the Commission to address data protection issues and the prior approval and prior authorisation process in both the Grant agreement and the draft data protection and privacy guidelines accompanying the Horizon 2020 project.

We trust you will ensure these matters are adequately addressed and would appreciate being informed of the progress to be able to react in time before the new documents are published. A copy of this letter has also been sent to Ms Le Bail, Director General of DG Justice.

Yours sincerely,

On behalf of the Article 29 Working Party,

Jacob Kohnstamm
Chairman

CC Ms Le Bail, Director General, DG Justice

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental Rights and Union Citizenship) of the European Commission, Directorate General Justice, B-1049 Brussels, Belgium, Office No MO59 02/34.

Website: http://ec.europa.eu/justice/data-protection/index_en.htm